

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of ALEXIS LYNN PENNINGTON,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

GREGORY PENNINGTON,

Respondent-Appellant,

and

TAWANA MARSH,

Respondent.

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In the Matter of ALEXIS LYNN PENNINGTON,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TAWANA MARSH,

Respondent-Appellant,

and

GREGORY PENNINGTON,

Respondent.

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UNPUBLISHED  
March 27, 2007

No. 273022  
Barry Circuit Court  
Family Division  
LC No. 06-007308-NA

No. 273023  
Barry Circuit Court  
Family Division  
LC No. 06-007308-NA

Before: Zahra, P.J., and Bandstra and Owens, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from an order terminating their parental rights to the minor child pursuant to MCL 712A.19b(3)(l). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondents do not dispute that the statutory ground for termination was established. Instead, they contend that termination of their parental rights was clearly not in the child's best interests. MCL 712A.19b(5). The trial court's decision regarding a child's best interests is reviewed for clear error. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The trial court did not clearly err in concluding that termination was in the best interests of the child.

At the time of termination, respondents did not have sufficient income or stable housing. Indeed, for years they had relied upon others for their own basic needs. They had not demonstrated that they could provide for themselves, let alone, for the needs of a child. Moreover, there was sufficient evidence from which the court could infer that respondent Pennington, a convicted sex offender, was at risk of sexually re-offending. This, coupled with respondent Marsh's questionable ability to protect her child, raised serious concerns for the child's safety if placed with respondents. Contrary to respondents' assertions, the evidence did clearly not show that termination of their parental rights was contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Brian K. Zahra  
/s/ Richard A. Bandstra  
/s/ Donald S. Owens